

Message Text

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FM AMEMBASSY SAN SALVADOR

TO SECSTATE WASHDC 9650

C O N F I D E N T I A L SAN SALVADOR 4793

E.O. 11652: GDS

TAGS: PFOR, ES, US

SUBJECT: VICE CONSUL DESIGNATE RAUL SALVADOR SOLER NUILA

REF: STATE 271756

1. SOLER NUILA, WHOSE PROFESSION IS ACCOUNTANT, WAS ACCUSED IN EARLY 1974 OF EMBEZZLEMENT. THE CHARGES WERE BASED ON THE DISAPPEARANCE OF THE EQUIVALENT OF OVER ONE HUNDRED THOUSAND DOLLARS THROUGH A SCHEME INVOLVING FORGED CHECKS. THE EMBEZZLEMENT OCCURRED IN THE SECTION FOR WHICH HE WAS RESPONSIBLE DURING HIS TENURE OF CHIEF OF THE FOREIGN RECEIPTS DEPARTMENT OF THE BANCO CAPITALIZADOR - BETWEEN SEPTEMBER 1969 AND MAY 1972. SOLER PLEADED INNOCENT, CLAIMING A SUBORDINATE MUST HAVE SIGNED THE CHECKS WITHOUT HIS KNOWLEDGE.

2. THE JUDGE AT THE FIRST HEARING DECIDED THAT THE CHARGES WERE "NOT PROVEN" (SOBRESEIMIENTO). IN A SOBRESEIMIENTO RULING, THE COURT CAN EITHER RELEASE THE ACCUSED UNDER STIPULATED CONDITIONS SIMILAR TO PAROLE, OR UNCONDITIONALLY THE FORMER MEANS THE CASE REMAINS OPEN, AND REMAINS SO UNTIL A FINAL UNCONDITIONAL SOBRESEIMIENTO IS ISSUED. IN SOLER'S CASE, THE RELEASE WAS AFFECTED UNDER BOND OF ONE HUNDRED AND TWENTY THOUSAND DOLLARS PENDING GOVERNMENT APPEAL. A HIGHER COURT AFFIRMED THE LOWER JUDGE'S DECISION, AND RELEASED SOLER IN MID-SEPTEMBER 1974 ON AN UNCONDITIONAL SOBRESEIMIENTO.

3. ON SEPTEMBER 13, 1974 SOLER APPLIED FOR A TOURIST VISA, STATING THAT HE WAS GOING TO THE US "FOR ONE MONTH, TO VISIT MY SISTER IN SAN FRANCISCO". HE WAS ISSUED A B-2, UNLIMITED ENTRIES, CONFIDENTIAL

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VALID FOR TWO YEARS.

4. SHORTLY BEFORE THE APPEALS COURT RULING WAS PUBLICIZED, PRESIDENT MOLINA BROUGHT THE SOLER CASE UP DURING A CONVERSATION WITH THE CHARGE. MOLINA IMPLIED THAT THE ACCOUNTANT WAS A PERSONAL FRIEND AND THAT WHEN THE JUDGMENT CLEARING SOLER IN THE EMBEZZLEMENT MATTER BECAME FINAL, SOLER WANTED TO LEAVE EL SALVADOR SINCE HIS REPUTATION OBVIOUSLY HAD SUFFERED, AND RESETTLE IN THE UNITED STATES. THE CHARGE, UNFAMILIAR WITH THE DETAILS OF THE CASE AT THE TIME, CONFINED HIS RESPONSE TO OUTLINING THE REQUIREMENTS FOR AN IMMIGRANT VISA.
MOSKOWITZ

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